



OP1841
23

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: McDaniel, et al.

卷之三

GROUP ART UNIT: 1814

SERIAL NO.: 08/252,384

28

EXAMINER: C. Low

FILED: June 1, 1994

3

FOR: Recombinant Organophosphorus Acid Anhydride and Methods of Use

2

MAY 10 1995

Atty. Dkt. No. TXTox, Inc.
Date: April 27, 1995

SUPPLEMENT NON-REQUISITE PAGES OF APPEAL BRIEF

Please find enclosed pages to Appellants' Appeal Brief which the Appellant inadvertently failed to provide in the Brief filed April 25, 1995. The pages provided herein are the last pages of the Brief and include: (1) a signature block for the inventor/attorney; (2) a table of authorities; and (3) a list of exhibits. None of these pages are required to the best of Appellants' knowledge. However, they each may be of value as to convenience of the Examiner and Board in considering the Appeal Brief.

Respectfully submitted,

C. Steven McDaniel, pro se
Registration No. 33,962
(713) 238-8010
Attorney for Applicant

Conley, Rose & Tayon
P. O. Box 3267
Houston, Texas 77253-3267
Tel. (713) 238-8000
Fax (713) 238-8008

TTG TGG TTC GAC CCG CCA CTT TCG ATG CGA TTG AGG TAT GTA GAG GAA CTC ACA
leu trp phe asp pro pro leu ser met arg leu arg tyr val glu glu leu thr
CAG TTC TTC CTG CGT GAG ATT CAA TAT GGC ATC GAA GAC ACC GGA ATT AGG GCG
gln phe phe leu arg glu ile gln tyr gly ile glu asp thr gly ile arg ala
GGC ATT ATC AAG GTC GCG ACC ACA GGC AAG GCG ACC CCC TTT CAG GAG TTA GTG
gly ile ile lys val ala thr thr gly lys ala thr pro phe gln glu leu val
TTA AAG GCG GCC CGG GCC AGC TTG GCC ACC GGT GTT CCG GTA ACC ACT CAC
leu lys ala ala ala arg ala ser leu ala thr gly val pro val thr thr his
ACG GCA GCA AGT CAG CGC GAT GGT GAG CGA GGC AGG CCG CCA TTT TTG AGT CCG
thr ala ala ser gln arg asp gly glu arg gly arg pro pro phe leu ser pro
AAG CTT GAG CCC TCA CGG GTT TGT ATT GGT CAC AGC GAT GAT ACT GAC GAT TTG
lys leu glu pro ser arg val cys ile gly his ser asp asp thr asp asp leu
AGC TAT CTC ACC GCC CTG CTG CGC GGA TAC CTC ATC GGT CTA GAC CAC ATC CCG
ser tyr leu thr ala leu leu arg gly tyr leu ile gly leu asp his ile pro
CAC AGT GCG ATT GGT CTA GAA GAT AAT GCG AGT GCA TCA CCG CTC CTG GGC ATC
his ser ala ile gly leu glu asp asn ala ser ala ser pro leu leu gly ile
CGT TCG TGG CAA ACA CGG GCT CTC TTG ATC AAG GCG CTC ATC GAC CAA GGC TAC
arg ser trp gln thr arg ala leu leu ile lys ala leu ile asp gln gly tyr
ATG AAA CAA ATC CTC GTT TCG AAT GAC TGG CTG TTC GGG TTT TCG AGC TAT GTC
met lys gln ile leu val ser asn asp trp leu phe gly phe ser ser tyr val
ACC AAC ATC ATG GAC GTG ATG GAT CGC GTG AAC CCC GAC GGG ATG GCC TTC ATT
thr asn ile met asp val met asp arg val asn pro asp gly met ala phe ile
CCA CTG AGA GTG ATC CCA TTC TAC GAG AGA AGG GCG TCC CAC AGG AAA CGC TGC
pro leu arg val ile pro phe tyr glu arg arg ala ser his arg lys arg cys
CAG GCA TCA CTG TGA
gln ala ser leu .
CTAACCCGGCGCGGTTCTGTGTCAACCGACTTGCCGTGCATGACGCCATCTGGATCCTTCCACGCAGCGGCC
ACTATTCCCCGTCAAGATAACCGAACGATGAAGTCGCGCATCGATCGATAGGCATCTTCAATGTGATCAGGG
CTGCCACCTCCAAAGCCGGTGGCACCCCTGTCGATAGTCTTGAGGGACGGTAGCGACGACCGTGCTTTTC
GTGAACTGCAG

3.

Respectfully submitted,



C. Steven McDaniel, pro se
Registration No. 33,962
(713) 238-8010
Attorney for Applicant

Conley, Rose & Tayon
P. O. Box 3267
Houston, Texas 77253-3267
Tel. (713) 238-8000
Fax (713) 238-8008

Table of Authorities

Amgen, Inc. v. Chugai Pharmaceutical Co., 927 F.2d 1200 (Fed. Cir. 1991)	24
Constitution ARTICLE I, SECTION 8	19
Custom Accessories, Inc. v. Jeffrey-Allan Industries, Inc., 1 U.S.P.Q.2d 1196 (Fed. Cir. 1986)	51
Ex Parte Chicago Rawhide Manufacturing Co., 223 U.S.P.Q. 351, 353 (PTO Bd. App. 1984)	51
Ex parte Hirschler, 110 U.S.P.Q. 384	32
Ex parte Maizel 927 F.2d 1200, 1206, 18 U.S.P.Q.2d 1016, 1021 (Fed.Cir. 1991))	18-19
Ex parte Marsili et al., 214 U.S.P.Q. 904 (PTO BD. App. 1979)	18
Ex parte Schmidt-Kastner, 153 U.S.P.Q. 473 (PTO Bd. App. 1963)	23
Graham v. John Deere, 383 U.S. 1, 148 U.S.P.Q. 459 (1966)	40
In re Corkill, 226 U.S.P.Q. 1005, 1008 (CAFC 1985)	51
In re Hawkins, 486 F.2d 569, 179 U.S.P.Q. 157 (C.C.P.A. 1973)	25
In re Katz, 687 F.2d 450,215 U.S.P.Q. 14 (CCPA 1982)	32
In re Kusko, 215 U.S.P.Q. 972 (PTO Bd. App. 1981)	32
In re Nathan, 328 F.2d 1005, 140 U.S.P.Q. 601 (C.C.P.A. 1964)	21
MPEP §§ 706	40
Petisi et al. v. Rennhard et al., 363 F.2d 903 (CCPA 1966)	19
S.C. Johnson & Son, Inc. v. Carter-Wallace, Inc., 225 U.S.P.Q. 1022 (N.Y. 1985)	57
Specialty Composites v. Cabot Corp., 6 U.S.P.Q.2d 1601 (Fed. Cir. 1988)	56

Standard Oil Co. v. American Cyanamid Co., 227 U.S.P.Q. 293, 298 (Fed. Cir. 1985)	50
Vas-Cath, Inc. v. Mahurkar, 953 F.2d 1555, 19 U.S.P.Q.2d 1111, 1117	22

Exhibits List

Exhibit A	7, 54
Exhibit B	16, 28
Exhibit C	53
Exhibit D	52
Exhibit E	18
Exhibits F-K	31, 53, 59
Exhibit L	54
Exhibit M	54
Exhibit M	55
Exhibit N	54